

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ALAMAR CYRIL HOUSTON,

Plaintiff,

No. CIV S-03-1107 LKK KJM P

vs.

E. ROGERS, et al.,

Defendants.

ORDER

_____/

Plaintiff a California prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. On June 2, 2006, the court recommended that this action be stayed, based on a motion brought by defendants, because plaintiff had been found to be incompetent to stand trial in a California criminal matter. Defendants have now informed the court that prior to the issuance of the findings and recommendations plaintiff was found competent to stand trial and entered a guilty plea. Plaintiff has not responded to defendants' latest filing.

Good cause appearing, IT IS HEREBY ORDERED that:

1. The court's June 2, 2006 findings and recommendations are vacated;
2. Defendants' October 31, 2005 motion for a stay is denied as moot;

////

1 3. The dates established in the court's October 12, 2005 scheduling order are
2 vacated; and

3 4. Within twenty days of this order, the parties shall inform the court if and why
4 further discovery is appropriate.

5 DATED: August 1, 2006.

6
7 
8 _____
9 UNITED STATES MAGISTRATE JUDGE
10

11 /hous1107.vac
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26